

REMARKS/ARGUMENTS

In response to the Office Action dated June 22, 2004, Applicant respectfully requests reconsideration based on the following remarks. Applicant respectfully submits that the claims as presented are in condition for allowance.

Claims 1-9, 11-13, 15-20 and 22 are pending in the present application. Applicant proposes adding claims 23 through 39. Claims 1-9, 11-13, 15-20 and 22 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 5,247,571 (Kay) in view of U.S. Patent No. 6,718,026 (Pershan et al.).

Telephonic Conference

On August 24, 2004, Applicants' undersigned representative discussed the present application and pending rejections with Examiner Barnie. During that conference, Applicants' undersigned representative explained that the Pershan reference does not qualify as prior art in view of the Woodring declaration attached hereto. Examiner Barnie agreed to reconsider the pending rejections upon receipt of a written response.

Applicants' undersigned representative wishes to thank Examiner Barnie for discussing the pending rejections and for his continued consideration of this application.

Rejections Under 35 U.S.C. § 103

Claims 1-9, 11-13, 15-20 and 22 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over U.S. Patent No. 5,247,571 (Kay) in view of U.S. Patent No. 6,718,026 (Pershan et al.). Pershan has a filing date of June 30, 2000. Submitted herewith is a declaration of Mr. Woodring establishing a date of invention prior to June 30, 2000. Accordingly, Pershan is not prior art and not available to be cited in a prior art rejection. Therefore, Applicant's undersigned representative respectfully requests withdrawal of the rejections.

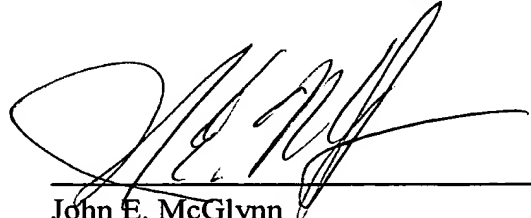
CONCLUSION

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PATENT

For all the foregoing reasons, Applicant's undersigned representative respectfully requests reconsideration of the outstanding Office Action and issuance of a Notice of Allowance.

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